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EXAMINER

YAM, STEPHEN K

ART UNIT PAPER NUMBER

2878

DATE MAILED: 02/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/885,900

Applicant(s)

BAGGS, SCOTT

Examiner

Stephen Yam

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 08 November 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

This action is in response to Amendments and remarks filed on November 8, 2002. Claims 1-39 are currently pending.

Claim Objections

1. Claims 16 and 37 are objected to because of the following informalities:

In Claim 16, line 7, "the source" lacks proper antecedent basis.

In Claim 37, line 3, "a source" lacks proper antecedent basis, as it is already previously defined in line 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-2, 8-11, 13, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by

Griffin US Patent No. 6,233,064.

Regarding Claims 1, 2, and 20, Griffin teaches a scanner assembly with a housing (10) (see Fig. 1) having a substantially vertical source-contact surface with a channel (between (30) and (16)) extending from the housing, a platen (30) to permit scanning of a source document in a vertical position, and a flap (20) (see Fig. 4) coupled to the source-contact surface substantially parallel to the source-contact surface of the housing, wherein the source-contact surface, the source-backing surface, and the channel form an aperture (defined between (30), (16), and (20)) for receiving an edge of a source to be scanned.

Regarding Claim 8, Griffin teaches the platen with an upper edge, an opposing lower edge, a front edge coexistent with a front panel of the housing, and a distal edge and wherein the channel is adjacent to the lower edge of the platen, as seen in Fig. 1.

Regarding Claim 9, Griffin teaches (see Fig. 1) the channel having a first end proximal to a front panel of the housing and a distal end that extends at least to the distal edge to the platen.

Regarding Claim 10, Griffin teaches the flap coupled to the housing with at least one adjustable fastener with at least one post assembly having a plurality of spatially-separated detent positions, in Fig. 10.

Regarding Claim 11, Griffin teaches the flap coupled to the housing with at least one adjustable fastener (419, 421) (see Fig. 17 and Col. 6, lines 62-67) for closely contacting the source-backing surface to the source-contact surface.

Regarding Claim 13, Griffin teaches a housing configured with a channel (between (216) and (230)) that can extend to increase the width of the opening (see Fig. 8).

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3. Claim 37 is rejected under 35 U.S.C. 102(e) as being anticipated by Nagano et al. US Patent No. 6,331,886.

Nagano et al. teach (see Fig. 1) a method of arranging a source (7) in a scanner comprising inserting a leading edge of the source into an aperture (203a) (see Fig. 13) such that a surface of the source having information to be imaged by the scanner is adjacent to a sensor (3, 4, 5, 6) arranged in a substantially vertical plane, and positionally adjusting (inserting) the source such that the information desired to be imaged is aligned with the sensor.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griffin.

Regarding Claim 7, Griffin teaches a scanner assembly with a housing having a substantially vertical source-contact surface, a channel extending therefrom, and a flap parallel to the source-contact surface. Griffin does not teach the housing comprising a recess configured to receive a portion of the channel when the source-backing surface is in close proximity to the source-contact surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made and it is well known to include a recess in the housing, as another method to retract the channel when necessary, to copy books or other sources with large surfaces for which the channel would hinder the scanning process.

Regarding Claim 14, Griffin teaches a scanner assembly with a housing having a substantially vertical source-contact surface, a channel extending therefrom, and a flap parallel to the source-contact surface. Griffin does not teach the width of the proximal end of the channel increasing over that portion of the channel that extends beyond the platen. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a greater width in the channel near the proximal end of the scanner, as it is common knowledge that insertion slots are wider at the opening to provide easier insertion of objects.

6. Claims 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagano et al.

Nagano et al. teach the method as taught in Claim 37, according to the appropriate paragraph above. Nagano et al. also teach (see Fig. 13) a plug (204) for a slot (between (1a) and (1b)) (see Fig. 1) formed in a flap (1), the flap substantially parallel with a source-contact surface (surface of (1)) of the scanner, and enabling the sensor to scan (S11) (see Fig. 6) the information (see Col. 6, lines 21-24). Nagano et al. do not teach the plug inserting into the slot, or inserting and removing the plug. It is design choice to have the plug inserted into the slot as opposed to covering the slot, and it is well known in the art to insert the plug for scanning to prevent external light from affecting the scanning process and to remove the plug in order to remove the slide strip. It would have been obvious to one of ordinary skill in the art at the time the invention was made to insert the plug into the slot and insert and remove the plug for the scanning process, to completely seal the scanning assembly from external light to prevent external light beams from affecting the scanned image.

7. Claims 3-6, 12, 16-19, and 21-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griffin in view of Nagano et al.

Regarding Claims 3 and 4, Griffin teaches a scanner assembly with a housing having a substantially vertical source-contact surface, a channel extending therefrom, and a flap parallel to the source-contact surface. Griffin does not teach the housing containing the front panel with an inclined surface adjacent to the opening, the inclined surface forming a wider opening at the surface of the front panel. Regarding Claim 3, Nagano et al. teach a scanner apparatus containing a front panel (202) (see Fig. 13) with an inclined surface adjacent to the opening, the inclined surface forming a wider opening at the surface of the front panel. Regarding Claim 4, Nagano et al. also teach a channel (1b) (see Fig. 1) supporting the source from the bottom, and a flap (1) attached to the support element to the left of the slot (203a) (see Fig. 13), containing an inclined surface adjacent to the opening slot, the inclined surface arranged to increase the opening along a front edge of the flap, wherein the front edge is substantially perpendicular to the source-backing surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the inclined surfaces in the scanner of Nagano et al. to the scanning apparatus of Griffin, to provide a means of securing a slide or a strip of film for scanning, as taught by Nagano et al., to improve the insertion and removal process.

Regarding Claims 5 and 12, Griffin teaches a scanner assembly with a housing having a substantially vertical source-contact surface, a channel extending therefrom, and a flap parallel to the source-contact surface. Griffin does not teach the flap containing a slot. Nagano et al. teach a flap (1) (see Fig. 1) containing a slot (between 1a and 1b) in which to insert and secure a

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relatively short source document such as a slide or strip of film, and to align it with the scanning elements. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a slot in the scanning apparatus of Griffin, to provide a means of attaching a slide or a strip of film for scanning, as taught by Nagano et al., to easily align a source for scanning.

Regarding Claim 6, Griffin teaches a scanner assembly with a housing having a substantially vertical source-contact surface, a channel extending therefrom, and a flap parallel to the source-contact surface. Griffin does not teach the flap containing a clip arranged to receive a portion of a source to be scanned. Nagano et al. teach a clip (1a) (see Fig. 1) to receive a portion of a source to be scanned. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a slot in the scanning apparatus of Griffin, to provide a means of securing a slide or a strip of film for scanning, as taught by Nagano et al., to fully secure a source for scanning.

Regarding Claim 15, Griffin teaches a scanner assembly with a housing having a substantially vertical source-contact surface, a channel extending therefrom, and a flap parallel to the source-contact surface. Griffin does not teach the channel coated with a material having a relatively low coefficient of friction. Nagano et al. teach a scanner for scanning a film strip or slide by sliding the source into an opening. Although Nagano et al. does not specifically mention the composition of the scanner, it is inherent that a plastic compound is used to mold the front panel and the channel, and that plastics have a relatively low coefficient of friction. It would have been obvious to one of ordinary skill in the art at the time the invention was made to coat

the channel in the scanner of Griffin with a material having a relatively low coefficient of friction, to easily insert and remove film strips or slides without encountering resistance.

Regarding Claims 16 and 17, Griffin teaches a scanner assembly with a means (40) for optically scanning image data (see Fig. 2), and means (20) (see Fig. 4) for forming an aperture (bounded by (20), (30), (16)) (see Fig. 1 and 4) configured to closely receive a leading edge (inner) of a source, such that the source can be spatially arranged with the means for optically scanning, the source supported along a second edge (bottom) of said source as the source is received in the aperture and during a scanning operation. Regarding Claim 17, Griffin teaches a channel (between (20), (30), and (16)). Griffin does not teach the means for optically scanning without adjusting the aperture. Nagano et al. teach a scanner assembly with means (6) for optically scanning image data, and means for forming an aperture (203a) (see Fig. 13) to receive a leading edge of a source such that the source is spatially arranged without adjusting the aperture (inserted into (203a)). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the aperture of Nagano et al. with the scanner assembly of Griffin, to provide stability for scanning slides.

Regarding Claim 18, Griffin teaches the scanner assembly as taught in Claim 16, according to the appropriate paragraph above. Griffin also teaches the means for forming an aperture comprising a flap (20) (see Fig. 4). Griffin does not teach the flap having a slot. Nagano et al. teach scanner assembly with the means for forming an aperture comprising a flap (1) having a slot (between (1a) and (1b)).

Regarding Claim 19, Griffin teaches the scanner assembly as taught in Claim 16, according to the appropriate paragraph above. Griffin also teaches a first inclined surface

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associated with a housing. Griffin does not teach a second inclined housing associated with a flap. It is well known in the art to use multiple surfaces to retain an object for scanning. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a second inclined housing associated with a flap, to offset the difference in height between the left and right sides and provide a rectangular-shaped scanner body.

Regarding Claim 21-25, Griffin teaches a scanner assembly with a housing having a substantially vertical source-contact surface, a channel extending therefrom, and a flap parallel to the source-contact surface. Regarding Claim 22, Griffin teaches arranging the flap and housing to apply pressure to the source to closely contact the platen (Col. 4, lines 6-11). Regarding Claims 23-25, Griffin also inherently teaches enabling the optical scanner (to visually scan a source), spatially arranging the flap and housing wherein pressure is removed from the non-scan surface of the source (lifting the flap after the scanning process), and removing the source from the opening. Griffin does not teach the insertion of a leading edge of a source to be scanned into the opening formed by the source-contact surface, the flap, and the channel such that source is supported along an edge by the channel. Nagano et al. teach the insertion of the leading edge of a source (7) to be scanned into an opening formed by a flap (1), a channel (1b), and a clip (1a). It would have been obvious to one of ordinary skill in the art at the time the invention was made to insert a leading edge of a source into an opening in the scanner of Griffin, to allow effortless alignment and scanning of slides and other sources.

Regarding Claims 26, 32, and 33, Griffin teaches a space-saving scanner assembly comprising (see Fig. 10 a housing (10) having a substantially vertical source-contact surface (30), a channel (between (30) and (16)) extending from the housing, and a flap (20) (see Fig. 4)

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coupled to the housing, having a source-backing surface substantially parallel to the source-contact surface of the housing, and the channel form an aperture (defined between (30), (16), and (20)) for receiving an edge of a source to be scanned. Regarding Claim 32, Griffin teaches (see Fig. 1) the channel having a first end proximal to a front panel of the housing and a distal end that extends at least to the distal edge to the platen. Regarding Claim 33, Griffin teaches (see Fig. 10) the flap coupled to the housing with at least one adjustable fastener with at least one post assembly having a plurality of spatially-separated detent positions. Regarding Claim 34, Griffin teaches (see Fig. 8) a housing configured with a channel (between (216) and (230)) that can extend to increase the width of the opening (see Fig. 8). Griffin does not teach scanning without necessitating relative movement between the flap and the housing. Nagano et al. teach (see Fig. 13) a vertical scanner assembly with a housing (201), a channel (1b) (see Fig. 1) extending from the housing, and a flap (1) coupled to the housing with an aperture (203a) (see Fig. 13) for receiving the edge of a source without necessitating relative movement between the flap and the housing. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the structure of Nagano et al. to receive the source without movement between the flap and the housing in the scanner assembly of Griffin, to provide stability for scanning slides and other media with less moving parts for greater durability.

Regarding Claims 27 and 28, Griffin in view of Nagano et al. teach the scanner assembly as taught in Claim 26, according to the appropriate paragraph above. Griffin does not teach a front panel or the flap with an inclined surface adjacent to the opening. Regarding Claim 27, Nagano et al. also teach a front panel (202) (see Fig. 13) with an inclined surface adjacent to the opening, the inclined surface forming a wider opening at the surface of the front panel.

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Regarding Claim 28, Nagano et al. also teach a channel (1b) (see Fig. 1) supporting the source from the bottom, and a flap (1) attached to the support element to the left of the slot (203a) (see Fig. 13), containing an inclined surface adjacent to the opening slot, the inclined surface arranged to increase the opening along a front edge of the flap, wherein the front edge is substantially perpendicular to the source-backing surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the inclined surfaces in the scanner of Nagano et al. to the scanning apparatus of Griffin in view of Nagano et al., to provide a means of securing a slide or a strip of film for scanning, as taught by Nagano et al., to improve and simplify the insertion and removal process.

Regarding Claims 29 and 30, Griffin in view of Nagano et al. teach the scanner assembly as taught in Claim 26, according to the appropriate paragraph above. Griffin does not teach the flap containing a slot. Nagano et al. teach a flap (1) (see Fig. 1) containing a slot (between 1a and 1b) in which to insert and secure a relatively short source document such as a slide or strip of film, and to align it with the scanning elements. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a slot in the scanning apparatus of Griffin in view of Nagano et al., to provide a means of attaching a slide or a strip of film for scanning, as taught by Nagano et al., to easily align a source for scanning.

Regarding Claim 31, Griffin in view of Nagano et al. teach the scanner assembly as taught in Claim 26, according to the appropriate paragraph above. Griffin does not teach the housing comprising a recess configured to receive a portion of the channel when the source-backing surface is in close proximity to the source-contact surface. It is well known in the art to use a recess to retract protruding components to ensure a flush surface and to conserve space. It

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would have been obvious to one of ordinary skill in the art at the time the invention was made to include a recess in the housing, as another method to retract the channel when necessary, in the scanner assembly of Griffin in view of Nagano et al., to copy books or other sources with large surfaces for which the channel would hinder the scanning process.

Regarding Claim 35, Griffin in view of Nagano et al. teach the scanner assembly as taught in Claim 26, according to the appropriate paragraph above. Griffin does not teach the width of the proximal end of the channel increasing over that portion of the channel that extends beyond the platen. It is well known in the art that ideal slots are configured with decreasing width from the opening of the slot, to ease insertion and removal of an item into the slot. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a greater width in the channel near the proximal end of the scanner of Griffin in view of Nagano et al., as it is common knowledge that insertion slots are wider at the opening to provide easier insertion of objects.

Regarding Claim 36, Griffin in view of Nagano et al. teach the scanner assembly as taught in Claim 26, according to the appropriate paragraph above. Griffin does not teach the channel coated with a material having a relatively low coefficient of friction. Nagano et al. teach a scanner for scanning a film strip or slide by sliding the source into an opening. Although Nagano et al. does not specifically mention the composition of the scanner, it is inherent that a plastic compound is used to mold the front panel and the channel, and that plastics have a relatively low coefficient of friction. It would have been obvious to one of ordinary skill in the art at the time the invention was made to coat the channel in the scanner of Griffin with a material having a relatively low coefficient of friction, to easily insert and remove film strips or

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slides without encountering resistance.

Response to Arguments

8. Applicant's arguments filed November 8, 2002 have been fully considered but they are not persuasive.
9. Applicant's arguments with respect to claims 16-19 have been considered but are moot in view of the new ground(s) of rejection.

Regarding Claims 1, 2, 8-11, 13, and 20, Applicant argues that Griffin does not teach a "channel extending from the housing" as recited in Claim 1, where a channel is defined as an elongated gutter, groove or furrow. Examiner asserts that a channel indeed exists in the Griffin invention, and using Applicant's own interpretation of "channel" as a gutter, Examiner clarifies the interpretation of Griffin by pointing to the area formed by the intersection of the ledge and the platen, which forms a "V"-like gutter in which a sheet of paper is placed. The side platforms of the gutter comprise the platen on the left and the ledge on the right. Regarding Claim 20, Examiner notes that since a channel is formed between the ledge and the platen, an aperture (equivalent to an "opening" according to Merriam-Webster's online collegiate dictionary) is formed from the intersection of all the components including the flap. Hence, Examiner maintains that Claims 1, 2, 8-11, 13, and 20 remains anticipated under 35 U.S.C. 102(e) by Griffin.

Regarding Claims 7 and 14, Examiner maintains that Griffin teaches a flap in which the source-contact surface, source-backing surface, and channel form an aperture for receiving an

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edge of a source to be scanned, as explained above. In addition, Examiner maintains that in the system of Griffin, the source document is arranged for optical scanning without adjusting the aperture.

Regarding Claims 3 and 4, Applicant argues that the concave recess in Fig. 13 of Nagano et al. is not an inclined surface. Examiner submits that the concave recess is indeed an inclined surface. "Inclined" is defined as "deviating from the vertical or horizontal" according to Merriam-Webster's collegiate dictionary. Since the concave recess of Nagano et al. bends from the vertical plane as seen in Fig. 13, it is considered under the definition of "inclined" and hence, reads on "an inclined surface". Since Nagano et al. teaches "an inclined surface" and Griffin teaches all the limitations of parent Claim 1, Examiner maintains that Claims 3 and 4 remain obvious under 35 U.S.C. 103(a) over Griffin in view of Nagano et al.

Regarding Claims 5 and 12, Applicant argues that Nagano et al. do not teach a flap containing a slot. Examiner asserts that Nagano et al. indeed teach a flap (defined as "an extended part forming the closure (as of an envelope or carton)" in Merriam-Webster's collegiate dictionary) using the components (1), (1a), and (1b) to ensure closure for the filmstrip from shifting in the horizontal or vertical direction, and also teach a slot (in between (1a) and (1b)) wherein the filmstrip is inserted. Hence, Examiner maintains that Claims 5 and 12 remain obvious under 35 U.S.C. 103(a) over Griffin in view of Nagano et al.

Regarding Claim 6, Applicant argues that Nagano et al. do not teach a flap containing a clip. Examiner asserts that Nagano et al. indeed teach a flap, as explained above, and that (1a) represents a clip (defined as "any of various devices that grip, clasp, or hook" in Merriam-

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Webster's collegiate dictionary) as it clasps the filmstrip to the flap. Hence, Examiner maintains that Claim 6 remains obvious under 35 U.S.C. 103(a) over Griffin in view of Nagano et al.

Regarding Claim 15, since Examiner maintains that Griffin teaches a channel as defined in parent Claim 1, as explained above, Claim 15 remains obvious under 35 U.S.C. 103(a) over Griffin in view of Nagano et al.

Regarding Claims 21-25, Examiner maintains that Griffin teaches a channel and a flap as defined in parent Claim 20. Applicant also argues that it would not be obvious to combine the document/book scanner with a film reader due to different source materials. Examiner submits that both devices are in the same field of optically scanning sources in the vertical direction- the type of source/media is simply design choice, depending on the type of media that is desired. Therefore, any improvements taught by Nagano et al. to the Griffin invention are obvious to one of ordinary skill in the art. Hence, Claims 21-25 remain obvious under 35 U.S.C. 103(a) over Griffin in view of Nagano et al.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Yam whose telephone number is (703)306-3441. The examiner can normally be reached on Monday-Friday 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Porta can be reached on (703)308-4852. The fax phone numbers for the organization where this application or proceeding is assigned are (703)308-7724 for regular communications and (703)308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

SY

SY
January 30, 2003


DAVID PORTA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800